

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

JOHN DOE,)	
)	
Plaintiff,)	
)	Civil No. 1:22-cv-1033
v.)	
)	
HAMPTON UNIVERSITY, et al.,)	
)	
Defendants.)	

**MEMORANDUM OF LAW IN SUPPORT OF UNOPPOSED MOTION
TO FILE CERTAIN UNREDACTED DOCUMENTS UNDER SEAL**

Pursuant to Local Civil Rule 5, Plaintiff John Doe submits this memorandum regarding its motion to file certain material under seal.

The Plaintiff maintains that allowing the filing of these documents with redactions of personally identifying information is particularly appropriate in this case, insofar as his claims relate false and defamatory entries on his student record, which is protected from disclosure by the Family Education Rights and Privacy Act, 20 U.S.C. § 1232 (g), and on certain medical records, protected by the Health Insurance Portability and Accountability Act, 42 U.S.C. § 1320d-6.

Plaintiff submits there is no prejudice to Defendants, as the unredacted documents have been provided to them. Additionally, Plaintiff submits there is no compelling public interest in disclosing the redacted personally identifying information in the context, and during the pendency, of this proceeding.

The material that Plaintiff has redacted from exhibits filed in the public court record is limited to the following documents:

<u>Plaintiff's Exhibit No.</u>	<u>Description</u>
A	Riverside MyChart – Test Details, Component Results, Comprehensive Screen – Details, Sept. 8, 2021
C	Hampton University Health Center Records Sept. 8, 13, 2021
D	Letter Dated Sept. 14, 2021, from Defendant Inman to John Doe
E	Sept. 17, 2021, LabCorp Test Results
F	Letter Dated Nov. 29, 2021 from Defendant Inman to John Doe
G	Letter Dated Nov. 9, 2021 from Defendant Inman to John Doe
H	Official Transcript

Plaintiff's Verification

Attached to Verified Complaint

Conclusion

Under Local Civil Rule 5, the Court should determine that the above-cited consists of personally identifying material that is appropriate for sealing during the pendency of this proceeding.

Dated: February 7, 2022

Respectfully submitted,

/s/ Michael M. York

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*Motion for Admission Pro Hac Vice Pending

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Notice of Motion to Seal Certain Unredacted Documents was filed electronically on this 7th day of February, 2022. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties not receiving service through the Court's electronic filing system will be served by regular U.S. mail. In addition, I hereby certify that the foregoing Motion will be served by overnight or certified mail, return receipt requested, to: Faye Hardy-Lucas, Vice President and General Counsel, Hampton University, 100 East Queen Street, Hampton, Virginia 23668.

/s/ Michael York
